

REMARKS

In the Office Action mailed March 8, 2004, claims 1-11 and 19-31 were rejected under 35 U.S.C. § 103(a) as being unpatentable over the Wong U.S. Patent No. 6,260,021 in view of the Mukherjee U.S. Patent No. 6,314,415. By the present Amendment, claims 19-21 have been canceled. Based on the following arguments for allowance, the Applicant hereby requests passage of the remaining claims to allowance.

REJECTION OF CLAIMS 1-3, 5-6 and 28-31

In rejecting independent claim 1, the Examiner stated that the Wong '021 patent taught all of the features of claim 1 except that the Wong reference did not explicitly disclose the conversion of the first user interface code segment of the first component and the second user interface code segment of the second component to a uniform user interface and the communication of patient data between the functionality code segments of the first and second components, respectfully, and the uniform user interface. For this feature of claim 1, the Examiner cited the Mukherjee '415 patent and stated that the Mukherjee '415 patent taught features that facilitated data entry, avoided redundant and unnecessary information from the graphical user interface and permitted changes to the user interface without relying on the "hard coded" software.

As amended, claim 1 requires a container application that can be configured to integrate the functionality of a first component or application (e.g., a PACS component), a second component or application (e.g., a RIS component) and other components or applications. The first component and the second component are typically different systems and each include a different user interface. The first and second user interfaces may receive user input and/or generate display signals for a user display.

As required by claim 1, the user interface layers of a container application control the user interfaces of the first and second components. Specifically, the uniform user interface allows communicated patient data from the functionality code segment of the first and second components to be formatted with the same look and feel. In this exemplary embodiment, the uniform user interface format allows the patient data from

the first component and the second component to be formatted and optionally displayed, with the same look and feel, regardless of whether the first component and the second component have similar interface codes.

As the Examiner correctly noted, the Wong '021 patent does not teach or suggest converting a first user interface of a first component or application and a second user interface of a second component or application into a uniform user interface. Further, the Wong '021 patent does not teach or suggest utilizing the uniform user interface such that patient data of a functionality code segment of the first and second components are formatted with the same look and feel. Rather, the Wong '021 patent teaches a three tiered object-oriented system for medical image distribution. The third tier includes client systems that each have object oriented GUI's. Specifically, the Wong reference states that when request for image data is made, the client system downloads the appropriate GUI or retrieves the appropriate GUI for the particular image data type, user and work station. The Wong reference explicitly states that the downloaded GUI components assure that the images can be displayed throughout the system, since each image type has its own GUI downloaded with the image. The Wong reference explicitly teaches away from converting the first user interface of the first component and the second user interface of the second component to a uniform user interface such that the patient data of the functionality code segment of the first and second components are formatted with the same look and feel, as required by independent claim 1.

In the Office Action, the Examiner relied upon the Mukherjee '415 patent to indicate that it would have been obvious to combine the Mukherjee '415 patent with the Wong '021 reference to teach all of the features required by independent claim 1.

In combining the Wong '021 patent with the Mukherjee '415 patent, the Examiner failed to recognize the fact that the Wong '021 patent teaches away from the use of a uniform user interface for displaying the patient data from first and second components with the same look and feel. As discussed above, Wong reference teaches downloading a GUI component with the image such that each of the images can be displayed with their

own GUI. The mere fact that references can be combined or modified does not render the resultant combination obvious unless the prior art also suggests the desirability of the combination. In re Mills, 916 F.2d 680 (Fed. Cir. 1990). Clearly, the Wong '021 reference does not teach the desirability of the combination made by the Examiner. Instead, the Wong '021 reference teaches away from such a combination and, as such, the combination of references is improper.

Even if the Mukherjee '415 patent were improperly combined with the Wong '021 patent, it is the applicants' belief that the Examiner has missed applied the Mukherjee '415 patent.

The Mukherjee '415 patent is directed to a system for collecting and combining various different paper forms into a single data system such that the same information required by two different forms can be shared among the forms such that information does not need to be entered more than once when filling out related forms. As an example, an employee's name need only to be supplied once and this information is transferred to multiple different locations and forms to eliminate duplicate entries. Thus, the system of the Mukherjee '415 patent asks for information for related forms only once and allows the common information to be outputted into various different forms as required. Such a system advantageously reduces the redundancy and irrelevant information that may be found in multiple paper forms.

In the Mukherjee reference, a set of rules are defined and associated with prompts that will be displayed on a user interface. Depending upon the information entered by the user, different prompts are displayed and the information required is dynamically changed in response to the data entered by the user. Thus, each user may see a different set of prompts depending upon specific data entered.

Further, the Mukherjee '415 patent is directed to a system that can be used in entering information into typically paper based forms such that once the information is entered, the paper based forms can be printed. The system eliminates multiple entries and provides for certain efficiencies. The database system of the Mukherjee '415 patent is not

related to the medical imaging field and thus, a person of ordinary skill in the art would be unlikely to combine the Mukherjee '415 patent with the teachings of the Wong '021 patent. The Mukherjee '415 patent is in a vastly different technical field and is not analogous prior art to the field of the retrieval, display and analysis of medical imaging displays. Thus, it is the Applicant's belief that the Examiner has improperly cited the Mukherjee '415 patent and such reliance upon the Mukherjee '415 patent should be withdrawn.

Even if the Wong and Mukherjee references were improperly combined, neither the Mukherjee reference or the Wong reference teach the formatting of the functionality code segments of the first and second components with the same look and feel, as required by independent claim 1. Instead, the Mukherjee reference specifically deals with reducing the redundant and unnecessary information in multiple paper forms such that data entry can be streamlined. Once the data is entered, the forms are displayed separately and do not have the common look and feel as required by claim 1.

Neither the Wong or Mukherjee references, alone or in combination, teach or suggest converting a first user interface of a first component and a second user interface of a second component into a uniform user interface such that the patient data of the functionality code segment are formatted with the same look and feel.

Claims 2-3, 5-6 and 28-31 depend directly or indirectly from claim 1 and are believed to be allowable based upon the above arguments for allowance as well as in view of the subject matter of each claim.

REJECTION OF CLAIMS 7-11

In rejecting independent claim 7, the Examiner stated that the Wong '021 reference did not explicitly disclose a data manager including a user interface code segment in communication with the first and second applications for converting the first user interface and the second user interface to a uniform user interface. However, the Examiner stated that this feature was known in the art, as evidenced by the Mukherjee '415 patent.

By the present Amendment, independent claim 7 has been amended to more particularly state that the data management system included pre-determined display format that has a common look and feel for both the patient image data and the patient text data.

As discussed above in the arguments for allowance of independent claim 1, the Mukherjee reference relied upon by the Examiner teaches a way of reducing the redundant and unnecessary input of information typically found in multiple paper forms. The teaching of the Mukherjee reference is not concerned with the display of patient image data from multiple, distinct applications such that the patient image data and patient text data is displayed in a common format. Further, the Wong '021 reference cited by the Examiner does not teach or suggest, nor render obvious the display of the patient image data and patient text data in this common display format. Instead, the Wong reference teaches the downloading of a GUI for each image type from the image server. Thus, the GUI for the object oriented interface taught by the Wong '021 reference does not define a predetermined display format, as required by independent claim 7.

Based upon these distinctions, as well as the arguments for allowance of independent claim 1, independent claim 7 is believed to be in condition for allowance and such action is respectfully requested.

Claims 8, 10-11 depend directly or indirectly from claim 7 and are believed to be allowable based upon the above arguments for allowance, as well as in view of the subject matter of each claim.

REJECTION OF CLAIMS 22-27

As with independent claims 1 and 7 described above, the Examiner rejected independent claim 22 based upon the combination of the Wong and Mukherjee patents. Likewise, the Examiner stated that the Wong reference did not disclose configuring both the patient image data and the patient text data according to a predetermined display format and ultimately displaying the configured patient image data and patient text data. For this feature, the Examiner relied upon the Mukherjee reference.

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As discussed above, it is the Applicant's belief that the Mukherjee reference, when combined with the Wong reference, does not teach or suggest, nor render obvious the use of a predetermined display format such that the patient image data and the patient text data have the same look and feel when displayed. Instead, the Mukherjee reference is simply directed to a system and method for reducing the redundant and unnecessary information from multiple paper forms such that information only needs to be entered once and can be printed using the multiple forms. Further, it is the Applicant's belief that the Mukherjee reference is directed to non-analogous art and has been improperly relied upon by the Examiner in rejecting the claims of the present application.

Based upon the claim amendments and the above arguments for allowance, independent claim 22 is believed to be in condition for allowance. Claims 23-27 depend directly or indirectly from claim 22 and incorporate all the limitations of claim 22 and are therefore believed to be allowable over the combination of references cited.

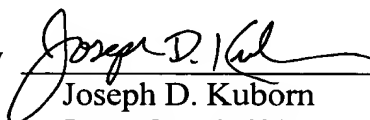
CONCLUSION

Based upon the above arguments for allowance, claims 1-3, 5-8, 10-11, 22-31 are believed to be in condition for allowance and such action is respectfully requested.

The Examiner is invited to contact the Applicant's undersigned attorney with any questions or comments or to otherwise facilitate prosecution of the present application.

Respectfully submitted,

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